

INFRASTRUCTURE COMMITTEE MEETING

MONDAY, NOVEMBER 26, 2012

6 P.M.

HAMPDEN TOWN OFFICE

A G E N D A

1. Minutes of 10/22/2012 meeting
2. Old Business
 - a. Route 69 Road Condition
 - b. Monroe Road Truck Traffic
3. Public Comments
4. Committee Member Comments

INFRASTRUCTURE COMMITTEE MEETING MINUTES
MONDAY, OCTOBER 22, 2012

Attending:

Councilor Shelby Wright	Town Manager Sue Lessard
Councilor Jeremy Williams	Paul Stilwell, Monroe Road
Councilor Kristen Hornbrook	Terry McAvoy, Resident
Councilor Jean Lawlis	Monroe Road Resident
Mayor Janet Hughes	Resident Kathy Cavness

The meeting was opened at 6:05 p.m. by Chairman Wright.

1. Minutes of 9/24/2012 meeting – Motion by Councilor Hornbrook, seconded by Councilor Lawlis to approve. Unanimous vote in favor.
2. Old Business
 - A. Truck Traffic Complaints – Monroe Road – Paul Stillwell of Monroe Road showed the Committee a video of trucks approaching the intersection of Monroe Road and Kennebec Road and using engine brakes, which are banned in Hampden. In August he had submitted a petition from 25 residents of Monroe Road expressing concern over the level of engine braking used on that road and its impact on residents. Committee members were provided with several additional emails from Mr. Stilwell highlighting trucks not only using engine brakes but also operating in early hours, and on Sundays in a loud manner. Another Monroe Road resident in attendance indicated that the noise was so loud from trucks that her family had to keep the windows and doors closed. Another resident expressed concern over the safety of Monroe Road for trucks due to its winding and hilly route and limited shoulders. The Police Department has done a number of speed and engine braking details in that area, and in spite of a zero tolerance policy, has not encountered a violation during the details. The residents are requesting that the Town ban trucks on Monroe Road for safety and noise reasons. Councilor Williams suggested that part of the problem is from vehicles which are operating with improper exhausts or insufficient brakes and that the Town should get in touch with Troop K of the Maine State Police to request heightened enforcement in that area. It was discussed that truck traffic on Monroe Road

has increased perhaps due to the extremely deteriorated condition of Route 69. At the next Infrastructure Committee meeting when the MDOT representative is here to discuss that road, this point should be highlighted.

Resident Terry McAvoy questioned why the Town was singling out trucks with what is really a noise ordinance (the engine braking ordinance) and not regulating other kinds of noise – loud music, motorcycle noise, construction activity, etc.

It was the consensus of the Committee to invite residents and Trucking/Construction Company owners and operators to the next Infrastructure Committee meeting on Monday, November 26th at 6 p.m. to have a discussion about the problem and possible solutions. The two agenda items will be Route 69 with MDOT and the Monroe Road/Citizen Complaints/Trucking. Chairman Wright will work with the Town Manager to develop a plan for the meeting to insure that it is positive and productive.

B. Route 69 – POSTPONED UNTIL 11/26/2012 MEETING

3. New Business - None
4. Public Comments - None
5. Committee Member Comments – Councilor Williams asked that the topic of a noise ordinance be put on the Committee agenda for January of 2013. Mayor Hughes commented that the Town should be very careful before considering taking away the rights of the public to use local roads.

Motion by Councilor Hornbrook, seconded by Councilor Williams to adjourn at 7:10 p.m. Unanimous vote in favor.

Respectfully submitted,

Susan Lessard
Town Manager

MaineDOT's Municipal Partnership Initiative

Municipal Guide

Purposes of the Initiative

MaineDOT's Municipal Partnership Initiative (MPI) is intended to be a demand response program, which can rapidly react to Municipal requests, such as responding to changing local transportation needs on State and State-Aid highways, developing economic opportunities, and safety concerns on or adjacent to these highways.

The program is designed to promote partnerships between MaineDOT and municipalities, public utilities, private businesses and other entities by leveraging additional resources on a voluntary basis to match limited state resources. It will make improvements to State and State-Aid highways often utilizing more flexible project delivery methods when the nature of the highway and project allow.

MPI Grant Requirements

In order to be eligible, each project must meet the following criteria:

- ✓ *Professional Engineer Certified:* Unless waived by MaineDOT's Chief Engineer, all projects must be designed by an engineer licensed in Maine and once constructed, the engineer of record must certify that the project was constructed in accordance with the plans and specifications.
- ✓ *10-Year Useful Life:* Unless waived by MaineDOT's Chief Engineer, the work must have a minimum 10-Year useful life.
- ✓ *Deliverability:* Usually construction will be administered by the municipality, when this is the case the municipality must demonstrate to MaineDOT that they have the ability or can obtain the ability to administer the project. Construction must commence within twelve (12) months and construction must be certified complete in twenty four (24) months from when a Cooperative Agreement is signed. If timelines are not met MaineDOT may reallocate funding to other eligible projects in other communities.
- ✓ *Public Involvement:* The municipality is responsible to lead the public involvement process consistent with all laws, including Maine's Sensible Transportation Policy Act. The value and extent of documented community support will be considered a project benefit.
- ✓ *Betterment to the State Transportation System:* The work covered must be betterment to the state transportation system above and beyond the requirement of any law or permit condition. For instance, investments must be improvements above and beyond mitigation for a traffic movement permit or above and beyond the legal requirements of a highway opening permit.
- ✓ *Multiple Party Agreements:* The municipality and all involved parties must be willing to enter into an agreement whereby the MPI Grant amount is capped based on project estimates prior to construction. This agreement will also list future maintenance responsibilities.
- ✓ *Right-of-Way Acquisition:* MPI grants will only reimburse for the right of way required for the transportation betterment. Most projects are expected to be within existing right of way, however, the municipality may be asked to secure any needed property rights in accordance with all applicable State and Federal Law.

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Funding

Unless waived by the Commissioner, the MaineDOT MPI funding contribution for a project will be capped at \$500,000. If a MPI project is an add-on to an existing MaineDOT project (other than Maintenance Surface Treatment) the MPI funding portion will only count as MaineDOT's additional contribution beyond what was previously programmed.

State funding for the MPI is limited by available state funding, which is impacted by revenue projections, Legislative budget deliberations, bid prices, and the severity of winter weather. For the FY-12-13 biennium, MaineDOT anticipates having about \$7 million for the MPI. Funding shares will be negotiated on a case by case basis, depending on the extent of regional or statewide benefits. Generally, MaineDOT's share will be capped at 50% or less. Consideration will be given to the impact a project has on eliminating the need for current and future projects and maintenance needs. Municipalities may propose shifting long-term maintenance responsibilities as part of their share.

Project Selection

MaineDOT will continuously accept project applications and eligible projects will be selected on a first come first serve basis. Additional project selection factors include the following:

- *Safety*: The improvement will impact a direct safety need such as infrastructure improvements that address an area with a high crash history or potential for hazardous conditions.
- *Economic Development & Job Creation*: Preference will be given to projects that allow for job growth and facilitate economic development.
- *Degree of Betterment*: Projects that provide a greater infrastructure benefit than others such as reducing maintenance costs, ride quality, or increasing mobility will be given a higher priority.
- *Percentage of Local Match*: The greater the percentage of non-state funding, the greater the likelihood the project will be selected.
- *Record of Requests*: The proposed project is something that the municipality has requested MaineDOT to improve over a number of years but State transportation resources have not been sufficient to make the improvement.
- *Customer Benefit*: Preference will be given to projects based on the amount and degree of benefit that travelers will realize from the benefit.
- *Prior MPI Awards*: MaineDOT will seek to fund eligible projects in all interested municipalities prior to issuing multiple grants to the same one.

Project Administration

Project administration will be project specific and detailed in the Cooperative Agreements. In general, projects are intended to be administered by a municipality, as a grant, with MaineDOT reviewing products at key milestones such as completion of

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design and construction. The focus of MaineDOT's review will be insuring that the project will achieve the benefits listed in the above bullets and will not degrade safety. MaineDOT will reimburse entities once the work is complete to the satisfaction of MaineDOT. For large projects and subject to available funding, MaineDOT will consider partial payments based on project progress.

Application Process

To apply for a grant simply:

- ✓ Review the program criteria in this guide.
- ✓ Be prepared to discuss each item at some detail, and
- ✓ Contact the Region Engineer or Region Manager in your local field office
(see http://www.maine.gov/mdot/aboutmainedot/pdf/Region_page_2010a.pdf or call (207)624-3600 for contact information)

Municipal Partnership Initiative (MPI)

The Municipal Partnership Initiative (MPI) program was conceived and developed in early 2011. It is a creative method to develop, fund, and build projects of municipal interest on the state infrastructure system with DOT as a partner. It is MaineDOT's intention that this program remain simple, flexible, and fast moving. It will respond to municipal interests, leverage economic opportunities, and improve safety whenever possible while ensuring the public gets good value for their tax dollars.

When a municipality indicates interest in making an eligible improvement or adding to the scope of an existing MaineDOT Project, the request is forwarded to the DOT Regional Office for action. Shortly thereafter, the Region Engineer meets with the municipal official to scope out the project. The scoping, approval, agreement, and development processes will be as lean and simple as possible so that a Cooperative Agreement can be signed within 2 months if all goes well. These projects will not go through the normal planning process.

Unless waived by the Commissioner, the state funding contribution for a project will be capped at \$500,000 and generally have a state share of 50% or less. State funding for the MPI is limited by available state funding, which is impacted by revenue projections, Legislative budget deliberations, bid prices, and the severity of winter weather. For the FY-12-13 biennium, MaineDOT has \$7 million for the MPI. Funding shares will be negotiated on a case by case basis, depending on the extent of regional or statewide benefits. Consideration will be given to the impact a project has on eliminating the need for current and future projects and maintenance needs. Municipalities may also propose shifting long-term maintenance responsibilities as part of their share.

Town of Hampden
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Phone: (207) 862-3034
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November 20, 2012

Dear Interested Party,

The purpose of this letter is to notify you of a meeting being held on Monday, November 26, 2012 at 6 p.m. at the Hampden Town Office. The purpose of this meeting is to discuss ongoing complaints of truck traffic and engine braking on Monroe Road in Hampden. The Town has received a petition signed by 25 residents requesting that the Town take action to mitigate the excessive noise caused by engine braking by trucks on that road. A request has also been made to close Monroe Road to truck traffic.

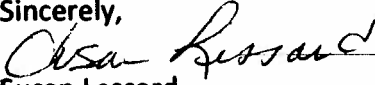
In an effort to hear from all interested parties and try and find common ground that meets the needs of business while also respecting the rights of residents, the Town Council's Infrastructure Committee is holding this meeting. It will provide a forum in which all perspectives can be aired respectfully.

This letter is being sent to all residents of Monroe Road as well as to all contracting, construction, and trucking companies whose address we have on file. If you are a business person, receipt of this letter does not mean that the Town considers that you have done anything wrong. It is being sent so that, if you choose, your voice and perspective can help to inform this process. If you are a resident and have received this letter, it does not mean that you have filed any complaints. It is an effort to make sure that all entities have the opportunity to participate if they choose.

If you have any questions, please feel free to contact me. If you have information that you wish to share and cannot attend the meeting, please submit it in writing to me at the Town Office, or it can be emailed to manager@hampdenmaine.gov

We look forward to seeing you on November 26th. Thank you, in advance, for your willingness to participate in this discussion.

Sincerely,


Susan Lessard
Town Manager

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July 26, 2012

To Whom It May Concern,

The purpose of this letter is to discuss ongoing complaints regarding noise from the use of engine-braking devices on Monroe Road in Hampden, Maine. The Town has an ordinance which does not allow the use of these devices.

For many months, the Hampden Police Department has been receiving complaints in regard to this activity on Monroe Road. The Department has maintained a higher presence in that area, issued some warnings, and even gone so far as to call several companies whose vehicles were reported to have been operated in a manner that violates the Town's ordinance.

Unfortunately, none of these measures have made a material difference in the use of these devices on Monroe Road. The subject was discussed at the Town Council Infrastructure Committee meeting on July 23, 2012. At that time, a letter with the signatures of 27 people who live on Monroe Road was presented requesting the closure of Monroe Road to truck traffic.

It is not the desire of the Town to consider such a drastic measure without first exhausting all other possibilities. However, it is necessary that we find a way for commercial activity and residential neighborhoods to co-exist peacefully. The next steps in seeking compliance with the local ordinance are first, for me, as Town Manager, to send a letter to all trucking and construction companies in the region notifying them of the Town Ordinance and asking that they make sure that their drivers are aware of, and obey, the ordinance. Second, the Hampden Police department will now be operating under a zero tolerance policy for these violations in this area. Citations, not warnings, will be issued.

The Town Council Infrastructure Committee will be meeting again to discuss this subject at their meeting on September 24, 2012. It is my hope that we can report a substantial improvement by that time.

Please call if you have questions or require other information. I have enclosed a copy of the engine-braking ordinance with this letter.

Sincerely,

Susan Lessard
Town Manager